

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
Original Application NO.26 OF 2025 / EZ**

Youth United for Sustainable Env. Trust ...Applicant

VERSUS

State of Odisha & Others ...Respondents

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SPCB Odisha, R.No.5

Kolkata

Through

Date:

*Papiya Banerjee Bihani*

**Smt. Papiya Banerjee Bihani**  
Advocates for the Respondent No.3  
(State Pollution Control Board, Odisha)  
e-mail: pbanerjeebihani@gmail.com  
Phone No.:9831493390

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**AFFIDAVIT ON BEHALF OF STATE  
POLLUTION CONTROL BOARD, ODISHA,  
R.NO. 5.**

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I, Smt. Uma Nanduri, IFS, wife of Sri Prem Kumar Jha, IFS aged around 58 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:

1. That I am the Member Secretary of the Respondent No.5 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.



2. That this Hon'ble Tribunal vide their order dtd.19.02.2025 has been pleased to constitute a committee consisting of the following members:

- i. Senior Scientist, Odisha State Pollution Control Board;
- ii. District Magistrate, District-Dhenkanal or his representative not below the rank of Additional District Magistrate.

And declared the District Magistrate, Dhenkanal as the Nodal Body for all logistic purposes and to file the joint inspection committee report on affidavit.

3. That after receipt of the copy of OA and order dtd.19.02.2025 from our counsel, we have nominated the Regional Officer, Angul to represent the committee on behalf of the Board and intimated the same to the Collector & DM, Dhenkanal vide Board's letter No.5517 dtd.20.03.2025 (R-2) for information and necessary action. A copy of letter No.5517 dtd.20.03.2025 is annexed to this affidavit and marked as ANNEXURE – R5/1.



4. That in compliance to the order dtd.19.02.2025, the committee has visited the site and the report has been submitted by the Nodal Agency in this case, which has also been taken note of by the Hon'ble Tribunal in their order dtd.19.05.2025.
5. That in the joint committee report, the committee has dealt with the issue relating to fly ash in para-5 of their report, which is extracted below:

5. The alleged site has been filled and compacted with fly ash over an estimated area of 16,275 Sq.m or 4.0 Ac. (approximately) with an average height of 2m. Therefore, the total quantity of fly-ash dumped is estimated to be about 40,687 Metric tonne (considering density of fly ash to be 1.25 Ton/M<sup>3</sup>). During visit, it could not be ascertained that from which industry the fly-ash has been illegally dumped at the alleged site. However, the dumped area has been compacted with soil cover.

6. That in order to verify the present status of the site with regard to dumping of fly ash a fresh inspection has been



carried out by official of Regional Office, Angul of this Board on dtd.10.07.2025, who has submitted a report with observation, which is given below:

1. It was observed that dumping of fly ash has been done at multiple places over the alleged land. It was observed that some portion of the ash dumping area has been covered with soil, but maximum area is left uncovered. This may cause fugitive dust nuisance during summer season and every chance of being washed away to the adjacent land during rainy reason.
2. Neither any vehicles nor any miscreants were noticed of handling or dumping of ash in the alleged site on the day of visit. Nearby shopkeepers and local inhabitants were being interrogated about such dumping, but they could not provide any information. Therefore, source of ash dumped at the alleged site could not be ascertained.

Copy of the inspection report dtd.10.07.2025 is annexed to this affidavit and marked as ANNEXURE – R5/2.



X

MANJULA KUMAR PRADHAR  
NOTARY PUBLIC  
BHUBANESWAR  
REGD. NO. ON-71/2009  
PH - 9437627119 (M)



- 7. That the Respondent No.5 Board craves the leave of this Hon'ble Tribunal to file further affidavit if necessary for effective adjudication of this case.
- 8. That the annexures annexed to the present affidavit are true and correct copies of their originals.
- 9. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.

  
**DEPONENT**  
Member Secretary  
State Pollution Control Board  
Odisha, Bhubaneswar

**VERIFICATION:**

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

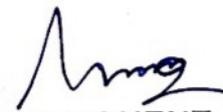
Verified at Bhubaneswar on this the 11<sup>th</sup> day of July,

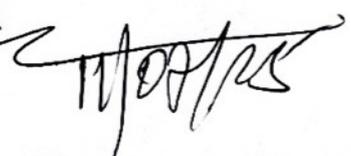
2025.

**SWORN BEFORE ME**



MANJULA KUMAR PRADHAR  
NOTARY PUBLIC  
BHUBANESWAR  
REGD. NO. ON-71/2009  
PH - 9437627119 (M)

  
**DEPONENT**  
Member Secretary  
State Pollution Control Board  
Odisha, Bhubaneswar





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## STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]  
Paribesh Bhawan, A/118, Nilakanthanagar, Unit - VIII,  
Bhubaneswar - 751 012, INDIA

No. 5517  
VII - L - Misc - 1185

Date: - 20/03/2025

Speed Post / E-mail

To

The Collector & District Magistrate  
Dhenkanal

Sub: OA No.26/2025/EZ - Youth United for Sustainable Environment Trust v. State of Odisha & Others.

Sir,

The Hon'ble NGT, EZB, Kolkata while adjudicating the OA vide their order dtd.19.02.2025 has been pleased to constitute a committee comprising of the following members:

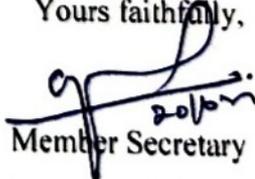
1. Sr. Scientist, Odisha State Pollution Control Board;
2. District Magistrate, Dist-Dhenkanal or his representative not below the rank of Addl. District Magistrate;

And directed the committee for inspection of the site and submission of report. The Collector & DM, Dhenkanal has been declared as the Nodal Body for all logistic purposes and shall file the joint inspection report on affidavit. The allegation involved in the OA is that the R-8 has illegally encroached the Khalpal Reserve Forest land within Mahabirodh Forest Range and Revenue land under Parjang Tahasil.

Er. Ramesh Kumar Ekka, Sr. Environmental Engineer and Regional Officer (M-9437221216), Angul of this Board has been nominated to represent the committee on behalf of the Board. A copy of the order dtd.19.02.2025 and copy of OA are enclosed for your information and necessary action. The case is posted to 28.03.2025 for hearing.

Yours faithfully,

Encl: As above

  
Member Secretary

Speed Post/E-mail

Memo No. 5518 / Date: - 20/03/2025

Copy along with copy of enclosure forwarded to the Regional Officer, SPC Board, Angul for information and necessary action.

Encl: As above.

  
Member Secretary

## ANNEXURE-R5/2

**Report on O.A. No. 26/2025/EZ – Youth United for Sustainable Environment  
Trust vrs. State of Odisha and Others before the National Green Tribunal,  
Eastern Zone, Kolkata-reg**

The aforesaid alleged site was revisited by the Board official on 10.07.2025 to verify the present status of the site.

**Observations on the day of Visit:**

1. It was observed that dumping of fly ash has been done at multiple places over the alleged land. It was observed that, some portion of the ash dumping area has been covered with soil, but maximum area is left uncovered. This may cause fugitive dust nuisance during summer season and every chance of being washed away to the adjacent land during rainy season.
2. Neither any vehicles nor any miscreants were noticed of handling or dumping of ash in the alleged site on the day of visit. Nearby shopkeepers and local inhabitant were being interrogated about such dumping, but they could not provide any information. Therefore, source of ash dumped at the alleged site could not be ascertained.



**S.R. Kuanr  
Asst. Env. Scientist  
RO SPCB, Angul**